

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARL BLESSING, et al., on Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

No. 09-cv-10035 (HB)(RLE)

-against-

SIRIUS XM RADIO INC.,

Defendant.

**NOTICE OF MOTION (1) FOR PRELIMINARY APPROVAL OF PROPOSED
SETTLEMENT, (2) FOR APPROVAL OF THE FORM AND MANNER
OF NOTICE TO THE CLASS, AND (3) TO SCHEDULE A HEARING ON FINAL
APPROVAL OF THE SETTLEMENT AND ON CLASS COUNSEL'S
APPLICATION FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES**

PLEASE TAKE NOTICE that upon the Second Consolidated Amended Class Action Complaint; the Court's March 29, 2011 Opinion and Order respecting Plaintiffs' Motion for Class Certification; the accompanying Declaration of Shannon Wheatman; the accompanying Declaration of James J. Sabella; the accompanying Memorandum of Law; and all other papers and proceedings herein, Plaintiffs Carl Blessing, Edward A. Scerbo, John Cronin, Brian Balaguera, Scott Byrd, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Janel and Kevin Stanfield, Paul Stasiukevicius, and Paola Tomassini will move this Court, at a date and time to be set by the Court, for an order pursuant to Fed. R. Civ. P. 23 that (i) preliminary approves of the settlement of this Action; (ii) approves of the form and manner of notice to Class Members; and (iii) schedules a hearing on final approval of the Settlement and on Co-Lead Class Counsel's motion for attorneys' fees and reimbursement of litigation expenses.

Dated: May 13, 2011

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